

REMARKS

In the Office Action,¹ the Examiner rejected claims 9 and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,537,314 to Kanter ("*Kanter*") in view of U.S. Patent No. 6,594,640 to Postrel ("*Postrel*") and U.S. Patent Publication No. 2001/0037453 to Mitty et al. ("*Mitty*").

In the Office Action, the Examiner alleges that *Kanter*, *Postrel*, and *Mitty* disclose, for example, "information processing apparatus," "first communication controlling means," "first recording means," "payment computing means," signal generating means," "key generating mean," etc. See, e.g., Office Action at 2-5. However, these terms are not recited in the pending claims. "It is important for an examiner to properly communicate the basis for a rejection so that . . . the applicant can be given fair opportunity to reply." M.P.E.P. § 706.02(j) (8th Ed., Rev. 7, July 2008). Because the Examiner failed to discuss the elements in the pending claims, it is difficult for Applicant to understand the Examiner's basis for the rejection and to reply properly to the Examiner's rejection. Accordingly, Applicant respectfully requests that the Examiner consider and examine the current set of pending claims.

Applicant respectfully traverses the rejection of claims 9 and 14 under 35 U.S.C. § 103(a), because a *prima facie* case of obviousness has not been established.

Independent claim 9 recites a point transfer dealer system comprising, for example, "a point management table including customer information, a corresponding

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement of characterization in the Office Action.

number of issued points, dates on which the points were issued, dates on which the points will expire, service provider IDs corresponding to the issued points, and a redemption rate” and “a point redemption system for receiving first data encrypted using a public key of the point redemption system from the customer, the first data comprising a user registration request and second data, the second data being encrypted using a private key of the customer.”

Kanter, *Postrel*, and *Mitty*, individually or in combination, fail to disclose or suggest the “point management table” and the “point redemption system” of claim 9.

Kanter discloses, “sponsoring company data, . . . participant data[,] . . . point value[,] . . . point-conversion table[,] . . . [and] date of the purchase.” *Kanter*, col. 19, lines 8-17. *Kanter* further discloses, “time [when] the appropriate case return policy of the purchases . . . expire[.]” *Id.*, col. 22, lines 3-4. Moreover, *Kanter* discloses, “award conversion tables” (abstract), “pyramidal association tables” (abstract), “raffle-entry-conversion table (RECT)” (col. 18, line 34), “point-conversion table (PCT)” (col. 18, line 35), “discount-rate-conversion table (DRCT)” (col. 18, lines 34-35), and “computer data conversion table” (col. 31, claim 10).

However, *Kanter* fails to disclose or suggest a single table that stores all of the claimed “customer information, . . . number of the issued points, dates on which the points were issued, dates on which the points will expire, service provider IDs . . . , and a redemption rate” in correspondence with one another. Therefore, *Kanter* fails to teach or suggest the “point management table including customer information, a corresponding number of issued points, dates on which the points were issued, dates

on which the points will expire, service provider IDs corresponding to the issued points, and a redemption rate,” as recited in claim 9.

Postrel discloses, “Fig. 3 is a . . . reward summary from an airline frequent flyer system.” *Postrel*, col. 4, lines 50-51; see also Fig. 3. However, the table in Fig. 3 of *Postrel* is missing at least the claimed “customer information,” “dates on which the points will expire,” “service provider IDs,” and “redemption rate.” Therefore, *Postrel* fails to disclose or suggest the “point management table including customer information, a corresponding number of issued points, dates on which the points were issued, dates on which the points will expire, service provider IDs corresponding to the issued points, and a redemption rate,” as recited in claim 9. Furthermore, *Mitty* is completely silent with respect to any table. Therefore, both *Postrel* and *Mitty* fail to cure the deficiencies of *Kanter*. Accordingly, *Kanter*, *Postrel*, and *Mitty*, individually or in combination, fail to disclose or suggest the “point management table” of claim 9.

As established in previous responses, *Kanter* and *Postrel* fail to disclose or suggest the “point redemption system” of claim 9.

Mitty discloses structure 600 that includes valued content 635 that is signed to create signed data 630 and then signed again to create signed data 610. See *Mitty*, Fig. 6. However, *Mitty* discloses, “a symmetric key may be . . . used to encrypt a message . . . [t]hen, the symmetric key may be encrypted with a recipient’s public key.” *Id.*, para. 0029. Accordingly, decrypting valued content 635 “involve[s] using recipient’s private key to decrypt a symmetric key, which, once decrypted, is used to decrypt the [valued] content[.]” *Id.*, para. 0141. Contrary to the claimed “first data,” structure 600 of *Mitty* is created using a combination of a symmetric key and a public key for encrypting.

“With symmetric cryptography, the same [symmetric] key is used for encrypting and decrypting[,]” whereas, with public cryptography, a pair of different public key and private key are used for encrypting and decrypting. *See id.*, paras. 0027-0028.

Therefore, *Mitty* fails to disclose or suggest “a point redemption system for receiving first data encrypted using a public key of the point redemption system from the customer, the first data comprising a user registration request and second data, the second data being encrypted using a private key of the customer,” as recited in claim 9 (emphases added). Accordingly, *Kanter*, *Postrel*, and *Mitty*, individually or in combination, fail to disclose or suggest the “point redemption system” of claim 9.

For at least the foregoing reasons, a *prima facie* case of obviousness has been established with respect to claim 9. Claim 14, although different in scope from claim 9, is allowable for at least the same reasons as claim 9. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 9 and 14 under 35 U.S.C. § 103(a).

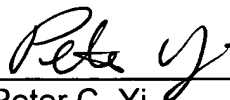
In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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